IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION.

CHAMBER SUMMONS NO. 971 OF 2005

IN

SUIT NO. 457 OF 2005

Balkisan D. Sanghvi & anr. ..... Plaintiffs.

versus

Kiron D.Sanghvi & ors..... Defendants.

.....

Shri N.G.Thakkar Sr. counsel with Sachin Chandarana and Samrat Rasal i/b. M.K.Ambalal & co. for plaintiff no.1.
Manish Doshi i/b.M/s.Vimadalal & Co. for Defendant no.6.
Ms. Jyotsna Mukherjee i/b. Rajani Associates for Defendant no.2.
J.B.Chinai with Ms. Sonal i/b. Zohair & Co.for defendants 3 to 5.

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CORAM ; A.M. KHANWILKAR, J.

DATED; 31ST AUGUST, 2005

P.C.;

1. Heard counsel for the parties. Manish Doshi appears for original plaintiff no.2 proposed defendant no.6. He has no objection for granting present Chamber Summons in terms of prayer clause (a). Mr. Chinai appears for defendants 3 to 5. He submits that if all the contentions are left open to be agitated by the respective parties in the main proceeding, the relief claimed in the Chamber Summons may be granted without prejudice to the rights of the parties. Accordingly

Chamber Summons is made absolute in terms of prayer clause (a). Amendment to be carried out within four weeks. No order as to costs.

2. It is made clear that granting of Chamber Summons is not the expression of opinion on merits of the controversy, which issues are left open to be decided at the appropriate time.

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